

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01317-APM**

CENTER FOR BIOLOGICAL DIVERSITY v. U.S.
ENVIRONMENTAL PROTECTION AGENCY
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 05/07/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CENTER FOR BIOLOGICAL
DIVERSITY**

represented by **Jonathan Carter Evans**
CENTER FOR BIOLOGICAL
DIVERSITY
1212 Broadway
Suite 800
Oakland, CA 94612
(510) 844-7118
Email: jevans@biologicaldiversity.org
ATTORNEY TO BE NOTICED

Hannah Mary Margaret Connor
CENTER FOR BIOLOGICAL
DIVERSITY
P.O. Box 2155
St. Petersburg, FL 33731
(202) 681-1676
Fax: (202) 676-2357
Email: hconnor@biologicaldiversity.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. ENVIRONMENTAL
PROTECTION AGENCY**

represented by **John Cuong Truong**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2524
Fax: (202) 252-2599
Email: john.truong@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/07/2019	<u>1</u>	COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 400 receipt number 0090-6106656) filed by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons United States Attorney, # <u>3</u> Summons Attorney General, # <u>4</u> Summons Environmental Protection Agency)(Connor, Hannah) (Entered: 05/07/2019)
05/07/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR BIOLOGICAL DIVERSITY (Connor, Hannah) (Entered: 05/07/2019)
05/07/2019	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jonathan Carter Evans, :Firm- Center for Biological Diversity, :Address- 1212 Broadway, Suite 800, Oakland, CA 94612. Phone No. - 510-844-7118. Fax No. - n/a Filing fee \$ 100, receipt number 0090-6106741. Fee Status: Fee Paid. by CENTER FOR

		BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Declaration of Jonathan Evans, # <u>2</u> Text of Proposed Order)(Connor, Hannah) (Entered: 05/07/2019)
05/08/2019		Case Assigned to Judge Amit P. Mehta. (zef,) (Entered: 05/08/2019)
05/08/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 05/08/2019)
05/09/2019		MINUTE ORDER granting <u>3</u> Plaintiff's Motion for Admission of Attorney Pro Hac Vice. Attorney Jonathan Carter Evans is hereby admitted pro hac vice to appear in this matter. Signed by Judge Amit P. Mehta on 05/09/2019. (lcapm1) (Entered: 05/09/2019)
05/10/2019	<u>5</u>	NOTICE of Appearance by Jonathan Evans on behalf of CENTER FOR BIOLOGICAL DIVERSITY (Evans, Jonathan) (Entered: 05/10/2019)
05/24/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/17/2019. Answer due for ALL FEDERAL DEFENDANTS by 6/16/2019. (Attachments: # <u>1</u> Exhibit Certified Mail Return Receipt)(Connor, Hannah) (Entered: 05/24/2019)
05/24/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ENVIRONMENTAL PROTECTION AGENCY served on 5/16/2019 (Attachments: # <u>1</u> Exhibit Certified Mail Return Receipt)(Connor, Hannah) (Entered: 05/24/2019)
05/24/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/17/2019. (Attachments: # <u>1</u> Exhibit Certified Mail Return Receipt)(Connor, Hannah) (Entered: 05/24/2019)
06/11/2019	<u>9</u>	Consent MOTION for Extension of Time to <i>Respond to Complaint</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Truong, John) (Entered: 06/11/2019)
06/12/2019		MINUTE ORDER granting <u>9</u> Defendant's Consent Motion for an Extension of Time. Defendant's response to Plaintiff's Complaint shall be due on or before July 9, 2019. Signed by Judge Amit P. Mehta on 06/12/2019. (lcapm1) (Entered: 06/12/2019)
06/12/2019		Set/Reset Deadlines: Defendant's Responsive Pleading due by 7/9/2019. (zjd) (Entered: 06/12/2019)
07/09/2019	<u>10</u>	ANSWER to Complaint by U.S. ENVIRONMENTAL PROTECTION AGENCY.(Truong, John) (Entered: 07/09/2019)
07/10/2019	<u>11</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before July 24, 2019. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Signed by Judge Amit P. Mehta on 07/10/2019. (lcapm1) Modified document type on 7/12/2019 (zjd). (Entered: 07/10/2019)
07/10/2019		Set/Reset Deadlines: Joint Status Report due by 7/24/2019. (zjd) (Entered: 07/12/2019)
07/24/2019	<u>12</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 07/24/2019)
07/25/2019		MINUTE ORDER. The parties shall file a Joint Status Report on or before August 23, 2019, which updates the court on the agency's search and production efforts. Signed by Judge Amit P. Mehta on 7/25/2019. (lcapm1) (Entered: 07/25/2019)
07/25/2019		Set/Reset Deadlines: Joint Status Report due by 8/23/2019. (zjd) (Entered: 07/25/2019)
08/20/2019	<u>13</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 08/20/2019)

08/21/2019		MINUTE ORDER. The parties shall file a Joint Status Report on or before October 8, 2019, which updates the court on the agency's search and production efforts. Signed by Judge Amit P. Mehta on 8/21/2019. (lcapm1) (Entered: 08/21/2019)
08/21/2019		Set/Reset Deadlines: Joint Status Report due by 10/8/2019. (zjd) (Entered: 08/21/2019)
10/08/2019	<u>14</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Truong, John) (Entered: 10/08/2019)